



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Guido KRUPP

Appln. No.: 09/937,519

371 (c) Filing Date: March 5, 2002

For: **Detection of Nucleic Acid Amplified
Products**

Art Unit: 1637

Examiner: Teresa E. Strzelecka

Confirmation No.: 9641

Atty. Docket: 19006.007

Information Disclosure Statement

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The attention of the Examiner is invited to the references listed on the attached Form PTO-1449.

Copies of the foreign and non-patent references listed on pages 1-3 are submitted herewith.

Copies of the U.S. patents and published applications listed on page 1 of the attached Form PTO-1449 are not submitted herewith, in accordance with the Strategic Plan Final Rule, 69 Fed. Reg 56481-56547 (September 21, 2004), effective October 21, 2004.

Further, Applicants wish to bring to the attention of the Examiner, the following co-pending applications:

1. U.S. Application No. 10/516,007
371 (c) Filing Date: June 8, 2005
Entitled: Amplification of Ribonucleic Acids;

2. U.S. Application No. 10/526,487
Int'l Filing Date: September 3, 2003
Entitled: Improved Methods for the Synthesis of Nucleic Acids; and
3. U.S. Application No. 60/712,820
Filed: September 1, 2005
Entitled: Universal Method for Selective Amplification of mRNAs

It is respectfully requested that the information above be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Certification and/or Fee

Because this Information Disclosure Statement is being submitted after issuance of the first action on the merits of the above-captioned application, a fee of \$180.00 is due pursuant to 37 C.F.R. § 1.17(p). Authorization to charge the official fees for this filing is given in the accompanying transmittal letter.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)
Rachel L. Adams (Reg. No. 54,660)

Date: February 6, 2006

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FORM PTO-1449
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 19006.007	APPLICATION NO. 09/937,519
APPLICANTS Guido KRUPP	
371 (c) FILING DATE March 5, 2002	GROUP 1637

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	REFERENCE PROVIDED*
	AA1	4,683,195	07/28/1987	Mullis <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AB1	4,683,202	07/28/1987	Mullis	not required, per 69 Fed. Reg. 56481
	AC1	5,130,238	07/14/1992	Malek <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AD1	5,256,555	10/26/1993	Milburn <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AE1	5,262,311	11/16/1993	Pardee <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AF1	5,407,800	04/18/1995	Gelfand <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AG1	5,459,037	10/17/1995	Sutcliffe <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AH1	5,514,545	05/07/1996	Eberwine	not required, per 69 Fed. Reg. 56481
	AI1	5,545,522	08/13/1996	Van Gelder <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AJ1	5,561,058	10/01/1996	Gelfand <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AK1	5,599,672	02/04/1997	Liang	not required, per 69 Fed. Reg. 56481
	AL1	5,665,547	09/09/1997	Pardee <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AM1	5,716,785	02/10/1998	Van Gelder <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AN1	5,780,273	07/14/1998	Burg	not required, per 69 Fed. Reg. 56481
	AO1	5,837,501	11/17/1998	Beumer <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AP1	5,891,636	04/06/1999	Van Gelder <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AQ1	5,932,451	08/03/1999	Wang <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AR1	5,958,688	09/28/1999	Eberwine <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AS1	5,965,409	10/12/1999	Pardee <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AT1	5,972,607	10/26/1999	Kondo <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AU1	6,090,589	07/18/2000	Dimond <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AV1	6,132,997	10/17/2000	Shannon	not required, per 69 Fed. Reg. 56481
	AW1	6,291,170 B1	09/18/2001	Van Gelder <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AX1	US 6,361,949 B1	03/26/2002	Sommer	not required, per 69 Fed. Reg. 56481
	AY1	US 6,379,932 B1	04/30/2002	Arnold <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	AZ1	US 2003/0129624 A1	07/10/2003	Eastman <i>et al.</i>	not required, per 69 Fed. Reg. 56481
	BA1	US 2005/0009027 A1	01/13/2005	Krupp <i>et al.</i>	not required, per 69 Fed. Reg. 56481

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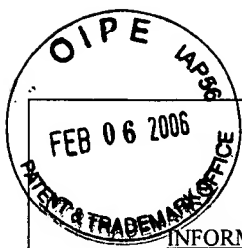
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	REFERENCE PROVIDED*	TRANSLATION
	AA2	0 201 184 A2	12/17/1986	EPO	submitted herewith	Yes No
	AB2	0 329 822 A2	08/26/1989	EPO	submitted herewith	Yes No
	AC2	0 329 822 A3	08/01/1990	EPO	submitted herewith	Yes No
	AD2	0 329 822 B1	06/08/1994	EPO	submitted herewith	Yes No
	AE2	0 416 572 B1	05/17/1995	EPO	submitted herewith	(claims only) X Yes No
	AF2	0 525 882 A1	02/03/1993	EPO	submitted herewith	Yes No
	AG2	EP 0 525 882 B1	01/14/2004	EPO	submitted herewith	Yes No
	AH2	EP 0 592 626 B1	01/29/2003	EPO	submitted herewith	Yes No
	AI2	EP 0 707 076 A1	04/17/1996	EPO	submitted herewith	Yes No
	AJ2	EP 0 707 076 B1	03/27/2002	EPO	submitted herewith	Yes No
	AK2	EP 1 275 734 A1	01/15/2003	EPO	submitted herewith	Yes No
	AL2	JP 08/205897 A	08/13/1996	Japan	submitted herewith	(abstract only) X Yes No
	AM2	JP 2843675 B2	01/06/1999	Japan; nat'l phase of WO 93/18176 A1, submitted herewith	submitted herewith	X Yes No
	AN2	WO 90/14439 A1	11/29/1990	PCT	submitted herewith	Yes No
	AO2	WO 92/08800 A1	05/29/1992	PCT	submitted herewith	Yes No
	AP2	WO 93/18176 A1	09/16/1993	PCT	submitted herewith	Yes No
	AQ2	WO 94/13833 A1	06/23/1994	PCT	submitted herewith	Yes No
	AR2	WO 99/47704 A1	09/23/1999	PCT	submitted herewith	(abstract only) X Yes No
	AS2	WO 00/18966 A2	04/06/2000	PCT	submitted herewith	Yes No
	AT2	WO 00/18966 A3	07/27/2000	PCT	submitted herewith	Yes No

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	AA3	WO 00/75356 A1	12/14/2000	PCT	submitted herewith	Yes No
	AB3	WO 01/71036 A2	09/27/2001	PCT	submitted herewith	Yes No
	AC3	WO 01/071036 A3	10/24/2002	PCT	submitted herewith	Yes No
	AD3	WO 03/020873 A2	03/13/2003	PCT	submitted herewith	(abstract only) X Yes No
	AE3	WO 03/102232 A2	12/11/2003	PCT	submitted herewith	(abstract only) X Yes No
	AF3	WO 2004/022574 A2	03/18/2004	PCT	submitted herewith	(abstract only) X Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

REFERENCE PROVIDED*

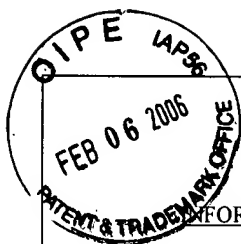
	AG3	Baugh <i>et al.</i> , "Quantitative analysis of mRNA amplification by <i>in vitro</i> transcription", <i>Nucleic Acids Research</i> , 29(5):1-9 (2001)	submitted herewith
	AH3	Berger <i>et al.</i> , "Reverse Transcriptase and Its Associated Ribonuclease H: Interplay of Two Enzyme Activities Controls the Yield of Single-Stranded Complementary Deoxyribonucleic Acid", <i>Biochemistry</i> , 22(10):2365-2372 (1983)	submitted herewith
	AI3	Boom <i>et al.</i> , "Rapid and Simple Method for Purification of Nucleic Acids", <i>J. Clin. Microbiol.</i> , 28(3):495-503 (1990)	submitted herewith
	AJ3	Boularand <i>et al.</i> , "The Human Tryptophan Hydroxylase Gene: an Unusual Splicing Complexity in the 5'-Untranslated Region", <i>J. Biol. Chem.</i> , 270(8):3748-3756 (1995)	submitted herewith
	AK3	Bratty <i>et al.</i> , "The hammerhead RNA domain, a model ribozyme", <i>Biochim. Biophys. Acta</i> , 1216:345-359 (1993)	submitted herewith
	AL3	Burgin <i>et al.</i> , "Chemically Modified Hammerhead Ribozymes with Improved Catalytic Rates", <i>Biochemistry</i> , 35(45):14090-14097 (1996)	submitted herewith
	AM3	Clouet-d'Orval <i>et al.</i> , "Hammerhead Ribozymes with a Faster Cleavage Rate", <i>Biochemistry</i> , 36(30):9087-9092 (1997)	submitted herewith
	AN3	Database WPI, AN 96-419828, Abstract of JP 8-205897, Derwent Publications Ltd. (October 1996)	submitted herewith

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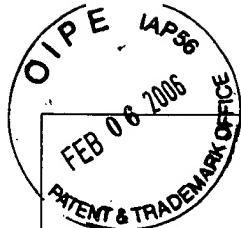
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			REFERENCE PROVIDED*
AA4	Eberwine <i>et al.</i> , "Analysis of gene expression in single live neurons", <i>Proc. Natl. Acad. Sci. USA</i> , 89:3010-3014 (1992)		submitted herewith
AB4	Fahy <i>et al.</i> , "Self-sustained Sequence Replication (3SR): An Isothermal Transcription-based Amplification System Alternative to PCR", <i>PCR Methods and Applications</i> , 1:25-33 (1991)		submitted herewith
AC4	Feinberg <i>et al.</i> , "A Technique for Radiolabeling DNA Restriction Endonuclease Fragments to High Specific Activity", <i>Analytical Biochemistry</i> , 132(1):6-13 (1983)		submitted herewith
AD4	Frohman <i>et al.</i> , "Rapid production of full-length cDNAs from rare transcripts: Amplification using a single gene-specific oligonucleotide primer", <i>Proc. Natl. Acad. Sci. USA</i> , 85:8998-9002 (1988)		submitted herewith
AE4	Hames <i>et al.</i> (Eds.), <u>Nucleic acid hybridisation: a practical approach</u> (Practical Approach Series), IRL Press Ltd., pp. 179-202 (1985)		submitted herewith
AF4	Hanne <i>et al.</i> , "Fluorescence resonance energy transfer (FRET) to follow ribozyme reactions in real time", <i>Nucleosides & Nucleotides</i> , 17(9-11):1835-1850 (1998)		submitted herewith
AG4	International Search Report, Application No. PCT/EP99/07127 (April 7, 2000)		submitted herewith
AH4	International Search Report, Application No. PCT/EP02/09348 (August 22, 2003)		submitted herewith
AI4	International Search Report, Application No. PCT/EP03/05579 (December 12, 2003)		submitted herewith
AJ4	International Search Report, Application No. PCT/EP03/09756 (March 4, 2004)		submitted herewith
AK4	Jenne <i>et al.</i> , "Real-Time Characterization of Ribozymes by Fluorescence Resonance Energy Transfer (FRET)", <i>Angew. Chem. Int. Ed.</i> , 38(9):1300-1303 (1999)		submitted herewith
AL4	Kievits <i>et al.</i> , "NASBA TM isothermal enzymatic in vitro nucleic acid amplification optimized for the diagnosis of HIV-1 infection", <i>J. Virol. Methods</i> , 35(3):273-286 (1991)		submitted herewith
EXAMINER			DATE CONSIDERED
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

REFERENCE PROVIDED*

AA5

Konarska *et al.*, "Replication of RNA by the DNA-Dependent RNA Polymerase of Phage T7", *Cell*, 57:423-431 (1989)

submitted herewith

AB5

Konarska *et al.*, "Structure of RNAs Replicated by the DNA-Dependent T7 RNA Polymerase", *Cell*, 63:609-618 (1990)

submitted herewith

AC5

Krupp, "Stringent RNA quality control using the Agilent 2100 bioanalyzer", Application Note, Agilent Technologies (2005)

submitted herewith

AD5

Krupp, "Unusual promoter-independent transcription reactions with bacteriophage RNA polymerases", *Nucleic Acids Research*, 17(8):3023-3036 (1989)

submitted herewith

AE5

Kuhn *et al.*, "Specific interaction of the murine transcription termination factor TTF I with class-I RNA polymerases", *Nature*, 344:559-562 (1990)

submitted herewith

AF5

Liang *et al.*, "Differential Display of Eukaryotic Messenger RNA by Means of the Polymerase Chain Reaction", *Science*, 257:967-971 (1992)

submitted herewith

AG5

Lockhart *et al.*, "Expression monitoring by hybridization to high-density oligonucleotide arrays", *Nature Biotechnology*, 14:1675-1680 (1996)

submitted herewith

AH5

Löffler *et al.*, *Biochemie und Pathobiochemie*, pp. 150-154, Springer-Verlag (1998)

submitted herewith

AI5

Mahony *et al.*, "Urine Specimens from Pregnant and Nonpregnant Women Inhibitory to Amplification of *Chlamydia trachomatis* Nucleic Acid by PCR, Ligase Chain Reaction, and Transcription-Mediated Amplification: Identification of Urinary Substances Associated with Inhibition and Removal of Inhibitory Activity", *J. Clin. Microbiol.*, 36(11):3122-3126 (1998)

submitted herewith

AJ5

Mathieu-Daudé *et al.*, "DNA rehybridization during PCR: the 'C₀t effect' and its consequences", *Nucleic Acids Research*, 24(11):2080-2086 (1996)

submitted herewith

AK5

Milligan *et al.*, "Synthesis of Small RNAs Using T7 RNA Polymerase", Methods in Enzymology, Vol. 180, pp. 51-62, Academic Press, Inc. (1989)

submitted herewith

AL5

Mueller *et al.*, "RNA Integrity Number (RIN) - Standardization of RNA Quality Control", Application Note, Agilent Technologies (2004)

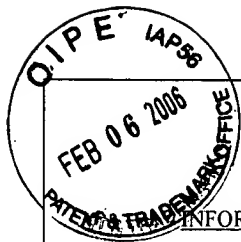
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AA6

Müller *et al.*, "Amino Acid Requirements of the Nucleocapsid Protein of HIV-1 for Increasing Catalytic Activity of a Ki-ras Ribozyme", *J. Mol. Biol.*, 242:422-429 (1994)

submitted herewith

AB6

Nedbal *et al.*, "The Association of Complementary Ribonucleic Acids Can Be Strongly Increased without Lowering Arrhenius Activation Energies or Significantly Altering Structures", *Biochemistry*, 36:13552-13557 (1997)

submitted herewith

AC6

Pezo *et al.*, "Hypermutagenic in vitro transcription employing biased NTP pools and manganese cations", *Gene*, 186:67-72 (1997)

submitted herewith

AD6

Poirier *et al.*, "Screening differentially expressed cDNA clones obtained by differential display using amplified RNA", *Nucleic Acids Research*, 25(4):913-914 (1997)

submitted herewith

AE6

Puskás *et al.*, "RNA Amplification Results in Reproducible Microarray Data with Slight Ratio Bias", *BioTechniques*, 32(6):1330-1340 (2002)

submitted herewith

AF6

Richmond *et al.*, "Genome-wide expression profiling in *Escherichia coli* K-12", *Nucleic Acids Research*, 27(19):3821-3835 (1999)

submitted herewith

AG6

Saiki *et al.*, "Enzymatic Amplification of β -Globin Genomic Sequences and Restriction Site Analysis for Diagnosis of Sickle Cell Anemia", *Science*, 230:1350-1354 (1985)

submitted herewith

AH6

Sargent, "Isolation of Differentially Expressed Genes", *Methods in Enzymology*, Vol. 152, pp. 423-432, Academic Press, Inc. (1987)

submitted herewith

AI6

Sarkar *et al.*, "Access to a Messenger RNA Sequence or its Protein Product is Not Limited by Tissue or Species Specificity", *Science*, 244:331-334 (1989)

submitted herewith

AJ6

Singh *et al.*, "Design of Hammerhead Ribozymes to Distinguish Single Base Changes in Substrate RNA", *Antisense and Nucleic Acid Drug Development*, 6:165-168 (1996)

submitted herewith

AK6

Sioud *et al.*, "Enhancement of Hammerhead Ribozyme Catalysis by Glyceraldehyde-3-phosphate Dehydrogenase", *J. Mol. Biol.*, 257:775-789 (1996)

submitted herewith

AL6

Sooknanan *et al.*, "Nucleic Acid Sequence-Based Amplification", *Molecular Methods for Virus Detection*, Wiedbrauk and Farkas (eds.), Chapter 12, pp 261-285, Academic Press, Inc. (1995)

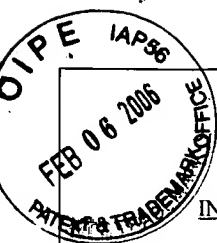
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AA7

Stoflet *et al.*, "Genomic Amplification with Transcript Sequencing", *Science*, 239:491-494 (1988)

submitted herewith

AB7

Taylor *et al.*, "Chimeric DNA-RNA hammerhead ribozymes have enhanced *in vitro* catalytic efficiency and increased stability *in vivo*", *Nucleic Acids Research*, 20(17):4559-4565 (1992)

submitted herewith

AC7

Tyagi *et al.*, "Multicolor molecular beacons for allele discrimination", *Nature Biotechnology*, 16:49-53 (1998)

submitted herewith

AD7

Van Gelder *et al.*, "Amplified RNA synthesised from limited quantities of heterogeneous cDNA", *Proc. Natl. Acad. Sci. USA*, 87:1663-1667 (1990)

submitted herewith

AE7

Wyatt *et al.*, "Synthesis and Purification of Large Amounts of RNA Oligonucleotides", *BioTechniques*, 11(6):764-769 (1991)

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